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C3  
contd

e) Z'' is  $>\text{CH}_2$ ,  $>\text{C}=\text{O}$ ,  $>\text{C}(\text{H})-\text{OH}$ ,  $>\text{C}=\text{N}-\text{OH}$ ,  $>\text{C}=\text{N}-\text{OR}_5$ ,  $>\text{C}(\text{H})-\text{C}\equiv\text{N}$ ,  
or  $>\text{C}(\text{H})-\text{NR}_5\text{R}_5$ , wherein each  $\text{R}_5$  is independently hydrogen, an alkyl or branched  
alkyl with up to 10 carbons or aralkyl.

### REMARKS

Applicants' representatives thank Examiner Qazi for the telephonic inquiry on September 23, 2002 in the above-referenced application, and have entered the above amendments in reply thereto.

Claims 1-4 and 6-30 are currently pending and Claims 1-4, 6-14, and 29-30 are under examination. As a result of the previous Restriction Requirement, Claims 15-28 are withdrawn from consideration as a non-elected invention, and Claims 5 and 31 were cancelled in the June 13, 2002 Amendment and Response. By this Amendment, all claims currently under examination, namely Claims 1-4, 6-14, and 29-30, are amended. These amendments find support in the specification and claims as filed, therefore no new matter is added to this application.

Paragraph d) of each independent Claim 1, 29 and 30 has been amended to define the 17-position ring substituent  $>\text{C}-\text{R}_g$  as  $>\text{C}(\text{H})-\text{OH}$  only. This definition of  $>\text{C}-\text{R}_g$  in the independent claims renders the claim feature " $>\text{C}-\text{R}_g$  is  $>\text{C}(\text{H})-\text{B}-\text{OH}$ " redundant in the dependent claims. Accordingly, this definition of  $>\text{C}-\text{R}_g$  is removed from Claims 2-4 and 6-14.

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By restricting  $>C-R_g$  to be  $>C(H)-OH$ , and because position 16 ( $R_h$ ) is  $>CH_2$ , all the claims of the present application are distinguished from the claims as amended today in Applications No. 09/641,327 (our file 05213-0730), 09/779,331 (our file 05213-0731), and 09/939,208 (our file 05213-0852). Accordingly, Applicants respectfully submit that Claims 1-4, 6-14, and 29-30 as amended are patentably distinct and hence allowable. Such action is respectfully requested.

Applicants further note that the present Application and Applications Number 09/641,327, 09/779,331, and 09/939,208 were commonly owned and/or subject to an obligation to assign to the same entity at the time the inventions were made (35 U.S.C. § 103(c)), thereby precluding an interference proceeding.

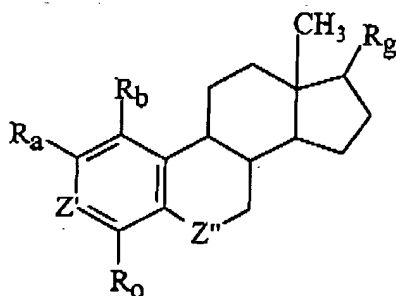
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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**Amendments in the Claims**

In accordance with 37 C.F.R. § 1.121(c), the following version of the rewritten claim shows all the changes made by the foregoing amendment relative to the previous version of that claim.

1. (Twice Amended) A compound of the general formula:



wherein:

- a)  $R_b$  and  $R_o$  are independently -H, -Cl, -Br, -I, -F, -CN, lower alkyl, -OH, -CH<sub>2</sub>-OH, -NH<sub>2</sub>; or N(R<sub>6</sub>)(R<sub>7</sub>), wherein R<sub>6</sub> and R<sub>7</sub> are independently hydrogen or an alkyl or branched alkyl with up to 6 carbons;
- b)  $R_a$  is -N<sub>3</sub>, -C≡N, -C≡C-R, -CH=CH-R, -R-CH=CH<sub>2</sub>, -C≡CH, -O-R, -R-R<sub>1</sub>, or -O-R-R<sub>1</sub> where R is a straight or branched alkyl with up to 10 carbons or aralkyl, and R<sub>1</sub> is -OH, -NH<sub>2</sub>, -Cl, -Br, -I, -F or CF<sub>3</sub>;
- c)  $Z'$  is >CH, >COH, or >C-R<sub>2</sub>-OH, where R<sub>2</sub> is an alkyl or branched alkyl with up to 10 carbons or aralkyl;

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d)  $>C-R_g$  is  $[>CH_2, >C(H)-OH, >C=O, >C=N-OH, >C(R_3)OH, >C=N-OR_3, >C(H)-NH_2, >C(H)-NHR_3, >C(H)-NR_3R_4, \text{ or } >C(H)-C(O)-R_3]$ , where each  $R_3$  and  $R_4$  is independently an alkyl or branched alkyl with up to 10 carbons or aralkyl];  
 and

e)  $Z''$  is  $>CH_2, >C=O, >C(H)-OH, >C=N-OR_5, >C(H)-C\equiv N, \text{ or } >C(H)-NR_5R_5$ , wherein each  $R_5$  is independently hydrogen, an alkyl or branched alkyl with up to 10 carbons or aralkyl;

with the proviso that if  $R_b$  is H,  $R_o$  is H,  $Z'$  is  $>COH, [>C-R_g \text{ is } >C(H)-OH,]$  and  $Z''$  is  $>CH_2$ , then  $R_a$  is neither  $-OCH_3$  nor  $-OCH_2CH_3$ .

2. (Amended) The compound of Claim 1, wherein :

$R_b$  and  $R_o$  are H,

$R_a$  is  $-C\equiv C-CH_3$ ,

$Z'$  is  $>C-OH$ ,

$[>C-R_g \text{ is } >C(H)-\beta-OH,]$  and

$Z''$  is  $>CH_2$ .

3. (Amended) The compound of Claim 1, wherein :

$R_b$  and  $R_o$  are H,

$R_a$  is  $OCH_2CF_3$

$Z'$  is  $>C-OH$ ,

$[>C-R_g \text{ is } >C(H)-\beta-OH,]$  and

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$Z''$  is  $>C=O$ .

4. (Amended) The compound of Claim 1, wherein :

$R_b$  and  $R_o$  are H,

$R_a$  is  $OCH_2CF_3$

$Z'$  is  $>C-OH$ ,

$[>C-R_g$  is  $>C(H)-\beta-OH,$ ] and

$Z''$  is  $>C=NOH$ .

6. (Amended) The compound of Claim 1, wherein :

$R_b$  and  $R_o$  are H,

$R_a$  is  $OCH_2CF_3$

$Z'$  is  $>C-OH$ ,

$[>C-R_g$  is  $>C(H)-\beta-OH,$ ] and

$Z''$  is  $>CH_2$ .

7. (Amended) The compound of Claim 1, wherein :

$R_b$  and  $R_o$  are H,

$R_a$  is  $CH=CH_2$

$Z'$  is  $>C-OH$ ,

$[>C-R_g$  is  $>C(H)-\beta-OH,$ ] and

$Z''$  is  $>CH_2$ .

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8. (Amended) The compound of Claim 1, wherein :
- $R_b$  and  $R_o$  are H,
- $R_a$  is  $E\text{-CH=CHCH}_3$
- $Z'$  is  $>\text{C-OH}$ ,
- $[>\text{C-R}_g \text{ is } >\text{C(H)-}\beta\text{-OH,}]$  and
- $Z''$  is  $>\text{CH}_2$ .
9. (Amended) The compound of Claim 1, wherein :
- $R_b$  and  $R_o$  are H,
- $R_a$  is  $\text{NHC}_2\text{H}_5$
- $Z'$  is  $>\text{C-OH}$ ,
- $[>\text{C-R}_g \text{ is } >\text{C(H)-}\beta\text{-OH,}]$  and
- $Z''$  is  $>\text{CH}_2$ .
10. (Amended) The compound of Claim 1, wherein :
- $R_b$  and  $R_o$  are H,
- $R_a$  is  $\text{NHCOCH}_3$
- $Z'$  is  $>\text{C-OH}$ ,
- $[>\text{C-R}_g \text{ is } >\text{C(H)-}\beta\text{-OH,}]$  and
- $Z''$  is  $>\text{CH}_2$ .

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11. (Amended) The compound of Claim 1, wherein :
- $R_b$  and  $R_o$  are H,
- $R_a$  is  $OC_2H_5$
- $Z'$  is  $>C-OH$ ,
- $[>C-R_g \text{ is } >C(H)-\beta-OH,]$  and
- $Z''$  is  $>C=O$ .
12. (Amended) The compound of Claim 1, wherein :
- $R_b$  and  $R_o$  are H,
- $R_a$  is  $OC_2H_5$
- $Z'$  is  $>C-OH$ ,
- $[>C-R_g \text{ is } >C(H)-\beta-OH,]$  and
- $Z''$  is  $>OH$ .
13. (Amended) The compound of Claim 1, wherein :
- $R_b$  and  $R_o$  are H,
- $R_a$  is  $OC_2H_5$
- $Z'$  is  $>C-OH$ ,
- $[>C-R_g \text{ is } >C(H)-\beta-OH,]$  and
- $Z''$  is  $>C=NOH$ .

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14. (Amended) The compound of Claim 1, wherein :

$R_b$  and  $R_o$  are H,

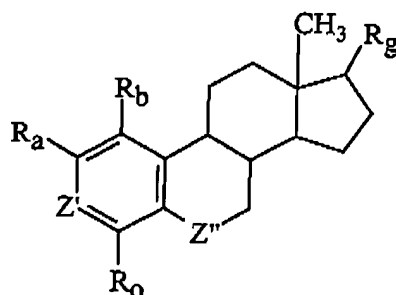
$R_a$  is  $OC_2H_5$

$Z'$  is  $>C-OH$ ,

$[>C-R_g$  is  $>C(H)-\beta-OH,$ ] and

$Z''$  is  $>C=NOCH_3$ .

29. (Amended) A compound of the general formula:



wherein:

a)  $R_b$  and  $R_o$  are independently -H, -Cl, -Br, -I, -F, -CN, lower alkyl, -OH,  $-CH_2-OH$ ,  $-NH_2$ ; or  $N(R_6)(R_7)$ , wherein  $R_6$  and  $R_7$  are independently hydrogen or an alkyl or branched alkyl with up to 6 carbons;

b)  $R_a$  is  $NHCOCH_3$ ;

c)  $Z'$  is  $>CH$ ,  $>COH$ , or  $>C-R_2-OH$ , where  $R_2$  is an alkyl or branched alkyl with up to 10 carbons or aralkyl;

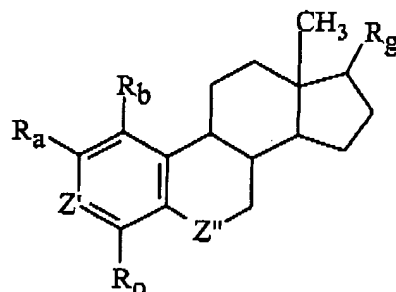


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d)  $>C-R_g$  is  $[>CH_2, >C(H)-OH, >C=O, >C=N-OH, >C(R_3)OH, >C=N-OR_3, >C(H)-NH_2, >C(H)-NHR_3, >C(H)-NR_3R_4, \text{ or } >C(H)-C(O)-R_3]$ , where each  $R_3$  and  $R_4$  is independently an alkyl or branched alkyl with up to 10 carbons or aralkyl]; and

e)  $Z''$  is  $>CH_2, >C=O, >C(H)-OH, >C=N-OH, >C=N-OR_5, >C(H)-C\equiv N,$  or  $>C(H)-NR_5R_5$ , wherein each  $R_5$  is independently hydrogen, an alkyl or branched alkyl with up to 10 carbons or aralkyl.

30. (Amended) A compound of the general formula:



wherein:

a)  $R_b$  and  $R_o$  are independently  $-H, -Cl, -Br, -I, -F, -CN,$  lower alkyl,  $-OH, -CH_2-OH, -NH_2;$  or  $N(R_6)(R_7),$  wherein  $R_6$  and  $R_7$  are independently hydrogen or an alkyl or branched alkyl with up to 6 carbons;

b)  $R_a$  is  $-O-R-R_1$  where  $R$  is a straight or branched alkyl with up to 10 carbons or aralkyl, and  $R_1$  is  $-OH, -NH_2, -Cl, -Br, -I, -F$  or  $CF_3;$

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c)  $Z'$  is  $>CH$ ,  $>COH$ , or  $>C-R_2-OH$ , where  $R_2$  is an alkyl or branched alkyl with up to 10 carbons or aralkyl;

d)  $>C-R_g$  is [ $>CH_2$ ,]  $>C(H)-OH$  [,  $>C=O$ ,  $>C=N-OH$ ,  $>C(R_3)OH$ ,  $>C=N-OR_3$ ,  $>C(H)-NH_2$ ,  $>C(H)-NHR_3$ ,  $>C(H)-NR_3R_4$ , or  $>C(H)-C(O)-R_3$ , where each  $R_3$  and  $R_4$  is independently an alkyl or branched alkyl with up to 10 carbons or aralkyl]; and

e)  $Z''$  is  $>CH_2$ ,  $>C=O$ ,  $>C(H)-OH$ ,  $>C=N-OH$ ,  $>C=N-OR_5$ ,  $>C(H)-C\equiv N$ , or  $>C(H)-NR_5R_5$ , wherein each  $R_5$  is independently hydrogen, an alkyl or branched alkyl with up to 10 carbons or aralkyl.

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CONCLUSION

In view of the above amendments and remarks, Applicants believe that the claims are now in condition for allowance. Such action is respectfully requested. If there are informalities remaining in the application which may be corrected by Examiner's Amendment, or there are any other issues which can be resolved by telephone interview, a telephone call to the undersigned attorney at (404) 745-2413 is respectfully solicited.

Respectfully submitted,

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